

INTRODUCED BY SENATOR INMAN,

January 23, 1919.

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the state board of chiropractic examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

The people of the State of California do enact as follows:

1 SECTION 1. A board is hereby created to be known as the
2 "state board of chiropractic examiners," hereinafter referred
3 to as the board, which shall consist of five members appointed
4 by the governor. Each member must have pursued a resident
5 course in a regularly chartered chiropractic school or college,
6 and must be a graduate thereof and hold a diploma therefrom.

7 Each member must have practiced chiropractic in the State
8 of California for a period of three years next preceding the
9 date upon which this act takes effect. Not more than one
10 member may be a graduate of any one chiropractic school, nor
11 may more than two members be residents of any one county of
12 the state. And no person connected with any chiropractic
13 school or college is eligible to appointment as a member of the
14 board. Each member of the board shall receive a per diem of
15 ten dollars for each day during which he is actually engaged
16 in the discharge of his duties; and mileage at the rate of three
17 cents per mile for each mile necessarily traveled in going to
18 and from meetings of the board, such per diem and mileage and
19 other incidental expenses of the board or of its members to be
20 paid out of the fund of the board, and not otherwise.

21 SEC. 2. Within thirty days of the date upon which this act
22 takes effect, the governor shall appoint the members of the
23 board. Of the members first appointed one shall be appointed
24 for a term of one year, two for two years and two for three

1 years. Thereafter, each appointment shall be for the
2 three years, except that an appointment to fill a vacan-
3 ce for the unexpired term only. Each member shall
4 until his successor has been appointed and qualified.
5 governor may remove a member from the board after
6 giving sufficient proof of the inability or misconduct of
7 member.

8 SEC. 3. The board shall convene within thirty days
9 of the appointment of its members, and shall organize by
10 election of a president, vice president and secretary, all
11 chosen from the members of the board. Thereafter election
12 of officers shall occur annually at the January meeting of
13 the board. A majority of the board shall constitute a quorum.
14 The secretary shall receive a salary to be fixed by the board
15 in an amount not exceeding one thousand dollars per annum,
16 but not per diem, and shall give bond to the state in a sum
17 and with such sureties as the board may deem proper.
18 He shall keep a record of the proceedings of the board,
19 shall at all times during business hours be open to the public
20 for inspection. He shall keep a true and accurate account
21 of all funds received and of all expenditures incurred or
22 authorized by the board, and on the first day of December of
23 each year he shall file with the governor a report of all receipts
24 disbursements and of the proceedings of the board for the
25 preceding fiscal year.

26 SEC. 4. The board shall have power:

27 (a) To adopt a seal, which shall be affixed to all licenses
28 issued by the board.

29 (b) To adopt from time to time such rules and regulations
30 as the board may deem proper and necessary for the performance
31 of its work, copies of such rules and regulations to be
32 filed with the secretary of state for public inspection.

33 (c) To examine applicants and to issue and revoke licenses
34 to practice chiropractic, as herein provided.

35 (d) To summon witnesses and to take testimony as to
36 matters pertaining to its duties; and each member shall
37 have power to administer oaths and take affidavits.

38 (e) To do any and all things necessary or incidental to
39 the exercise of the powers and duties herein granted or imposed.

40 SEC. 5. It shall be unlawful for any person to practice
41 chiropractic in this state unless he shall have first obtained
42 a license as provided in this act. Any person wishing to
43 practice chiropractic shall make application to the board at
44 least fifteen days prior to any meeting thereof, upon such form and
45 in such manner as may be provided by the board. Each applica-
46 tion must be accompanied by a license fee of twenty-five
47 dollars and a certificate showing good moral character of the
48 applicant. Except in the cases herein otherwise provided,
49 each applicant shall be a graduate of a chartered chiropractic
50 school or college which teaches a course of two thousand
51 or more, and he must give documentary proof of having
52 attended not less than ninety per cent of two thousand

The schedule of minimum educational requirements to enable
any person to practice chiropractic in this state is as follows
to wit, except as herein otherwise provided:

| | |
|-------------------------------------|-----------|
| Anatomy | 600 hours |
| Histology | 100 hours |
| Elementary chemistry and toxicology | 100 hours |
| Physiology | 200 hours |
| Bacteriology | 60 hours |
| Hygiene and sanitation | 40 hours |
| Pathology | 200 hours |
| Diagnosis or analysis | 400 hours |
| Chiropractic theory and practice | 300 hours |

Total 2000 hours

SEC. 6. (a) The board shall meet as a board of examiners
on the first Tuesday following the second Monday of January
and July of each year, and at such times and places as may
be found necessary for the performance of their duties.

(b) Each application shall be designated by a number
instead of the name, so that the identity will not be disclosed
to the examiners until the papers are graded.

(c) Except in cases herein otherwise prescribed all examinations
shall be in writing, the subjects of which shall be as follows:
anatomy, physiology, pathology, diagnosis or analysis,
elementary chemistry, and toxicology, bacteriology, histology,
hygiene and sanitation, and chiropractic theory and practice,
as taught by chiropractic colleges. A license shall be granted
to any applicant who shall make a general average of seventy-
five per cent, and not fall below sixty per cent in more than two
branches of said examination. Any applicant failing to make
the required grade, shall be given credit for the branches
passed, and may, without further cost, take the examination
at a subsequent date on the subjects in which he failed. For
each year of actual practice since graduation the applicant
shall be given a credit of one per cent on the general average.
Any chiropractor who meets the requirements set forth in this
section of this act, and who shall have pursued a resident
course of at least two hundred hours in obstetrics, and who
shall make a grade of seventy-five per cent in an examination
in obstetrics conducted by the board, is authorized to practice
obstetrics under the provisions of this act.

SEC. 7. Any person who, within six months of the date
upon which this act takes effect, shall present to the board a
diploma and proof of having pursued a resident course of at
least one thousand hours in a legally chartered chiropractic
school, and who shall present affidavits of good moral character
and shall pay to the secretary of the board the sum of twenty-
five dollars, shall be given an oral, practical and clinical exami-
nation, and if he, or she, makes a grade of seventy-five per
cent in such examination, shall be granted a license to practice
chiropractic in this state under the provisions of this act.

1 Sec. 8. Notwithstanding any provision contained
2 in other section of this act the board, upon receipt
3 of twenty-five dollars, shall issue a license to any of
4 the named persons:

5 (a) To each member of the board.

6 (b) To any person licensed to practice chiropractic
7 in the laws of another state, having the same requirements
8 prescribed in this act.

9 (c) To any person who shall have practiced chiropractic
10 six years, two years of which shall have been in this state
11 immediately preceding the date upon which this act takes
12 effect, and who presents his diploma as proof of having
13 pursued a resident course in a legally chartered chiropractic
14 or college, and proof of good moral character, provided
15 that such proof applies within six months of the date upon which
16 this act takes effect.

17 SEC. 9. (a) The board may refuse to grant or may
18 deny a license to practice chiropractic in this state or may
19 cause the licensee's name to be removed from all records of practice
20 of chiropractic in the state upon any of the following grounds,
21 to wit: The employment of fraud or deception in applying
22 for a license or in passing an examination as provided in this
23 act; the practice of chiropractic under a false or assumed
24 name; or the personation of another practitioner of
25 different name; the conviction of a crime involving moral
26 pitude; habitual intemperance in the use of ardent spirits,
27 narcotics or stimulants to such an extent as to incapacitate
28 him from the performance of his professional duties;
29 a person who is a licentiate, or who is an applicant for a license
30 to practice chiropractic against whom any of the foregoing
31 grounds for revoking or refusing a license is presented to
32 the board with a view of having the board revoke or refuse
33 to grant a license, shall be furnished with a copy of the complaint
34 and shall have a hearing before the board in person or by
35 attorney, and witnesses may be examined by the board regarding
36 the guilt or innocence of the accused.

37 (b) At any time after two years following the refusal
38 of revocation or cancellation of registration under this act,
39 the board may by a majority vote, issue a new license or
40 grant a license, to the person affected, restoring him to, or conferring
41 on him all the rights and privileges of, and pertaining to,
42 the practice of chiropractic as regulated by this act. Any person
43 to whom such rights have been restored shall pay to the board
44 the sum of twenty-five dollars upon the issuance of a new
45 license.

46 SEC. 10. (a) Every person who shall receive a license from
47 the board shall have it recorded in the office of the county
48 clerk of the county in which he resides and shall have it likewise
49 recorded in the counties into which he shall subsequently
50 move for the purpose of practicing chiropractic.

51 (b) The failure or the refusal on the part of the holder of
52 a license to have it recorded before he shall begin to practice

chiropractic in this state, after having been notified by the board to do so, shall be sufficient ground to revoke or cancel the license and to render it null and void.

(c) The county clerk of each county in this state shall keep for public inspection, in a book provided for that purpose, a complete list and description of the licenses recorded by him. When any such license shall be presented to him for record he shall stamp upon the face thereof his signed memorandum of the date when such license was presented for record.

SEC. 11. Chiropractic licensees shall observe and be subject to all state and municipal regulations relating to the control of contagious or infectious diseases, may sign birth and death certificates, and shall report any and all matters pertaining to public health to the proper health officers, and may diagnose and use such natural agencies as water, food, heat, electricity, manual and mechanical means and manipulations as auxiliaries in their practice under the provisions of this act.

SEC. 12. All examination fees received by the board under this act shall be paid to the secretary of said board, who shall at the end of each month deposit the same with the state treasurer, and the state treasurer shall place the money so received in a special fund, to be known as "the state board of chiropractic examiners' fund," and shall pay the same out on warrants issued by the state controller upon vouchers issued and signed by the president and secretary of the board. The moneys so received and placed in said fund may be used by the board in defraying their expenses in carrying out the provisions of this act.

SEC. 13. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D. C." or any word or title to induce belief that he is engaged in the practice of chiropractic without first complying with the provisions of this act, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars and not more than two hundred dollars or by imprisonment in the county jail for not less than thirty days nor more than one year, or both. All subsequent offenses shall be punished in like manner. Nothing in this act shall be construed to interfere with any other method or science of healing in this state, or with chiropractors who are licensed under other acts.

SEC. 14. It shall be the duty of the several district attorneys of this state to prosecute all persons charged with the violation of any of the provisions of this act. It shall be the duty of the secretary of the board, under the direction of the board, to aid said attorneys in the enforcement of this act.

SEC. 15. All acts or parts of acts in conflict herewith are hereby repealed.